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2 MAY 09 2022

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EASTERN DISTRICT OF CALIFORNIA  
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REFUSED

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RETURN

UNITED STATES OF AMERICA,

Plaintiff,

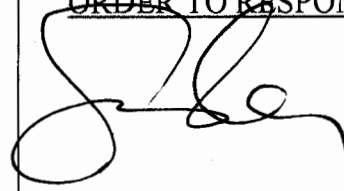
v.

EDWARD T. KENNEDY,

Defendant.

No. 2:21-cv-01964-WBS-CKD

ORDER VACATING HEARING AND  
ORDER TO RESPOND



Presently pending before the court is plaintiff's motion for default judgment, which is set for hearing on May 4, 2022.<sup>1</sup> (ECF No. 13.) Pursuant to Local Rule 230(c), defendant was required to file an opposition or statement of non-opposition to the motion no later than fourteen (14) days after the motion's filing, i.e., by April 12, 2022. (See ECF No. 14.) That deadline has now passed with no opposition or statement of non-opposition from defendant.

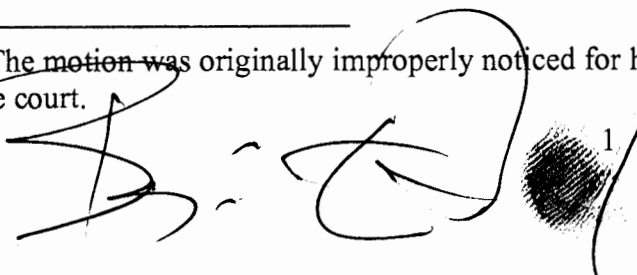
Out of an abundance of caution, and in light of the court's desire to resolve the action on the merits, the court provides defendant one additional, final opportunity to oppose the motion.

Accordingly, IT IS HEREBY ORDERED that:

1. The May 4, 2022 hearing on plaintiff's motion for default judgment is VACATED.

The court takes this matter under submission on the papers without oral argument,

<sup>1</sup> The motion was originally improperly noticed for hearing on April 27, 2022 and was reset by the court.



pursuant to Local Rule 230(g). The court will reschedule a hearing at a future date, if necessary;

2. Defendant's opposition shall be filed no later than April 27, 2022, and plaintiff's optional reply brief is due May 11, 2022;

3. Defendant is cautioned that failure to respond to the motion in compliance with this order will be deemed as consent to a summary grant of the motion, and may result in the imposition of a default judgment against defendant; and

4. Plaintiff shall promptly serve a copy of this order on defendant at his last-known address, and file a proof of service.

Dated: April 18, 2022

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

19.kenn.1964

MIME-Version:1.0 From:caed\_cmeef\_helpdesk@caed.uscourts.gov To:CourtMail@localhost.localdomain  
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*U.S. District Court*

*Eastern District of California – Live System*

**Notice of Electronic Filing**

The following transaction was entered on 4/18/2022 at 10:47 AM PDT and filed on 4/18/2022

**Case Name:** (PS) USA v. Kennedy  
**Case Number:** 2:21-cv-01964-WBS-CKD  
**Filer:**  
**Document Number:** 15

**Docket Text:**

ORDER signed by Magistrate Judge Carolyn K. Delaney on 04/18/2022 VACATING The 05/04/2022 hearing on plaintiff's motion for default judgment. Defendant's opposition shall be filed no later than 04/27/2022, and plaintiff's optional reply brief is due 05/11/2022. Plaintiff shall promptly serve a copy of this order on defendant at his last-known address, and file a proof of service. (Rodriguez, E)

**2:21-cv-01964-WBS-CKD Notice has been electronically mailed to:**

Boris Kukso , GOVT &nbsp; &nbsp; boris.kukso@usdoj.gov, western.taxcivil@usdoj.gov

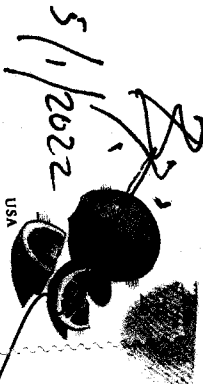
**2:21-cv-01964-WBS-CKD Electronically filed documents must be served conventionally by the filer to:**

Edward T. Kennedy  
800 Court St Apt 223  
Reading, PA 19601

The following document(s) are associated with this transaction:

By: Edmund J. (3)  
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Rivers, Pennsylvania

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